

CONTRACT BARGAINING FOR POTATOES AND OTHER CROPS





Agricultural Bargaining Council of Maine



- ◆ Organized 1970
- ◆ Non-profit corporation
- ◆ Represents 90% of growers in Maine
- ◆ Represents 92% of processor volume



Maine Agricultural Marketing & Bargaining Act of 1973

- ◆ Membership agreement
- ◆ Bargaining certification
- ◆ Good Faith bargaining
- ◆ Required mediation
- ◆ Binding arbitration
- ◆ Maine Bargaining Board
- ◆ Check Off Law



Potato Marketing Association of North America

- ◆ 12 Associations

- 6 States: Washington, Oregon, Idaho, Wisconsin, Minnesota/North Dakota, Maine
- 6 Provinces: Alberta, Manitoba, Ontario, Quebec, New Brunswick & Prince Edward Island

- ◆ Sharing information

- ◆ Expanding to global



Membership Agreement

- ◆ Exclusive agent
- ◆ Assessment
- ◆ Negotiate contract – terms & conditions
- ◆ Monitor deliveries
- ◆ Clearing house for information
- ◆ Promote harmony between growers and processors





Maine Bargaining Board



- ◆ Makeup of Board
- ◆ Certification of association
- ◆ Forum for dispute resolution



Check Off Law

- ◆ Required processor to withhold assessment from members
- ◆ Required processor to forward to association
- ◆ Requires accounting
- ◆ May withhold 2% administrative fee





Bargainers Certification



- ◆ Numbers to qualified
- ◆ Association in good standing
- ◆ Financially sound
- ◆ Bargaining committees & officers





Good Faith Bargaining



- ◆ Law requires good faith bargainers if certified



Voluntary & Required Mediation

- ◆ May volunteer for mediation
- ◆ Required mediation on time table
- ◆ Mediator may call for 2 days more of bargaining
- ◆ Write report – turn over to arbitrator



Binding Arbitration

- ◆ Arbitrator presented with final offer from each party
- ◆ Arbitrator has 10 days to pick one or the other
- ◆ Arbitrator has broad powers such as:
 - Hold hearings
 - Administer oath
 - Examine, witness, documents
 - Issue subpoenas

